

The Case of TOLERATION consider'd with Respect both to RELIGION and CIVIL GOVERNMENT,

IN A
SERMON

Preach'd in

St. *Andrew's*, DUBLIN,

Before the Honourable

House of Commons;

On *Saturday*, the 23d of *October*, 1725.

Being the ANNIVERSARY of

The Irish Rebellion.

By *EDWARD SYNGE*, M. A. Prebendary of St. *Patrick's*, DUBLIN; and Chaplain to his EXCELLENCY, the LORD LIEUTENANT.

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Lunæ 25. Die Octobris, 1725.

ORDERED,

THAT the Thanks of this HOUSE
be given to the Reverend Mr. *Edward
Synge*, for the excellent Sermon by him
Preach'd before this HOUSE, on *Saturday*
last, at St. *Andrew's* Church, and that he be
desired to Print the same. And that Mr.
Chancellor of the *Exchequer*, Mr. *Clements*,
and Mr. *Maynard* do acquaint him therewith.

Bruen Worthington

Isaac Ambrose,

} Cler. Parl.

} Dom. Com.

A
S E R M O N

Preach'd in

St. *Andrew's* DUBLIN, &c.

Luke xiv. part of v. 23.

Compel them to come in.



HOEVER considers the State of this Kingdom, may easily observe, that besides the Dangers to which, in common with others, it is exposed, there is one almost peculiar to it, which has contributed not a little, to make the publick Peace of the Society, at all Times uncertain and precarious. For whereas in other Kingdoms, all the Members of the Community, or at least a vast Majority of them, however they differ in Matters of less Moment, are, in the main, united in their Civil Interests, and, unless at some certain Times, when they are heated with Ambition, or Resentment, heartily concur in their Endeavours to support the Constitution; in this Kingdom, great Numbers of those, who have enjoy'd the Protection of the Government, have yet been Enemies to it, and have shewn themselves ready on any favourable Juncture, to exert their utmost Force and Power to overthrow it.

THAT this is true of most of those who have professed the *Romish* Religion, is generally allow'd, and cannot be disputed by any one who considers their Conduct in both Kingdoms since the Reformation. Nothing is more certain than that they have on all Occasions shewn themselves Enemies to the Establish'd Government, as well Civil as Religious. The many Conspiracies form'd against Queen *Elizabeth*, The Gun-Powder-Plot, and The dreadful Massacre of this Day, prove it beyond all Possibi-

lity of Contradiction; Or if later Instances be requir'd, their Behaviour to the Protestants of this Kingdom, in the late Times of Confusion, very clearly shews the Continuance of the same evil Disposition: And since the true Cause of this Enmity has always been a furious and blind Zeal for Religion, and not any Difficulties or Pressures they labour'd under in their Civil Interests, Most of which have been the Consequence of their Treasons, and not the Cause of them, it may well be presum'd that as long as this Principle has its full Influence upon them it will dispose them to act in the same Manner, whenever they can form a probable Expectation of Success in any bold and violent Undertaking.

FOR this Reason, the Wisdom of the Legislature has thought it necessary, to frame several Laws, with a Design to weaken the Power and Interest of the Popish Party among us, and to render it less formidable to the Government; And because 'tis found by Experience that the Laws hitherto fram'd do not fully answer the End propos'd, 'tis possible they may hereafter consider of and establish others that will be more effectual.

IN doing this, 'tis certain they act agreeably to the great Law of Self-Preservation, and the Fundamental Principle of Society also, which does and must vest the supreme Power in every Nation, with a Right to secure the whole Body, from the evil Designs and Actions, as well of its own Members, as of any other Persons, who are disposed to hurt and destroy them.

BUT this notwithstanding, as our Case is circumstanc'd, All Laws of this kind, are in the Opinion of many liable to one plausible Objection, which is this; That the true Cause of that Opposition of Interests, which divides the Power of the Community, and renders one Part of it so justly suspected to the other, being a *Difference in their Principles of Religion*, arising from their different Notions of the Christian Law, 'tis impossible to frame any Laws for the publick Security, without *forcing Mens Consciences* and invading that Liberty which all Persons ought to be allow'd, of following *their* Dictates, in order to their own Eternal Salvation. And since it is certain that this ought in no Case be done, it follows on this Supposition, that all Laws of this Sort however necessary or useful they may be thought to the Weal-publick, are in themselves unjust and unreasonable, and therefore ought not to be made or continu'd.

THIS Objection, every one knows has been urg'd against the Laws made in both Kingdoms for the Security of the Government against the Popish Faction; The same has been urg'd against others, which have more lately been under Deliberation; And, as it is the only plausible one which can be made use of for such an End, there is no doubt but it will on future Occasions, be

be urg'd, to prevent the passing such Laws, as may be any way grievous to those of the Church of *Rome*, however necessary they may be thought for the Support of the Government and the Protestant Interest in this Nation.

SINCE then one great Design of the Legislature in appointing this Anniversary Thanksgiving, was, by perpetuating the Memory of a Barbarous and Cruel Conspiracy, and of the dreadful Effects which even a partial Execution thereof had on the Protestants of this Kingdom, to raise in our Minds a just Apprehension of the Danger to which we are at all times expos'd from those who are under the Influence of the same false and bloody Religion, and to excite us to use proper Means for our own Preservation, it will not, I hope, be thought an improper Discharge of that Duty, which I am this Day commanded to perform, if instead of insisting on other Matters, which may seem more nearly to relate to the Occasion of the present Solemnity, I set my self to consider the Force of this Objection, and enquire how far it can or ought to influence any of the Consultations or Resolutions of the Legislature for the Security of our established Religion and Government.

AND because the Judgment we form on this Point must in a great Measure depend on the Resolution of a general Question concerning the Lawfulness of using Force in Matters of Religion, I shall therefore endeavour to do what I propose in the following Method.

1. I SHALL lay before you, as well as I am able, a true State of the Controversy concerning the Use of Force in Matters of Religion, with some Account of the several erroneous Opinions advanc'd on this Subject, and the Reasons of them. This will I hope, make it pretty easy.

2. To discover the Truth on the several Points that arise, and answer the principal Objections that have been made against it. And when in this Way we come to have the whole Matter clearly before us, I shall then,

3. APPLY the general Doctrine to our particular Case, in Order to form some Judgment of the several Methods that may be thought on, to secure our present happy Constitution in CHURCH and STATE from any Danger with which it may be threatned by those whose false Principles in Religion dispose them to be Enemies to it.

1. IN Order to a clear State of this Controversy, we are to observe, that as different Opinions and Practices among Christians, are almost as ancient as the Christian Religion it self, so, ever since the Christian Religion has been the Religion of States and Empires, almost all Parties have discovered a strong Disposition to use Force against those who differ from them; and because 'tis
natural

natural for those who use Force to endeavour to justify their Actions on some Principle, and for those who suffer under it, to complain of such Usage, as Cruel and Unreasonable, hence it has come to pass, that the Question concerning the Lawfulness of using Force in Matters of Religion, has been for many Ages the Subject of great Debates among Christians. In the Management of which, several Men having taken several Ways of explaining themselves, it has happened that many even of those who own the same general Conclusion, are in reality of very different and even opposite Opinions.

To understand their different Opinions and Grounds of them, 'twill be necessary further to observe,

1. THAT by *Force* in this Question, is meant all Sort of Coercion or temporal Punishment, which may be threaten'd or inflicted on Account of any religious Action or Opinion. Now because these Punishments may differ very much in the Kind and Degree of Evil they bring on the Sufferers, because some may affect Men's Lives, others their Liberty, others their Fortune, and others may extend only to restrain, or deprive them of the Liberty of worshipping God in their own Way, A Question here arises about which the Favourers of Force, differ from one another, as well as from those who declare universally against it, whether it be lawful in Matters of Religion to make Use of *Capital* or other heavy Punishments, or only of some Restraints and lower Penalties, which have usually been known by the Name of *moderate and wholesome Severities*?

2. ANOTHER Question of equal Importance arises concerning the Person who is to use this Force. All lawful Use of Force does suppose a Right or moral Power in some Person or Persons to exercise and apply it. Now in a State where the * Magistrate is Christian, 'Tis possible to conceive this Power of using Force placed in the Hand either of the *Governours of the Christian Society*, or of the *Civil Power*: If it be supposed *Originally* in the Governours of the Christian Society, then, as the Christian Society it self, so this power also must be by *Divine Appointment*. But if it be supposed in the Civil Power, it may be conceiv'd to arise either from particular Divine Appointment, if it be the Will of God, that in this, as in other Cases the Magistrate be his Minister, *a Revenger to execute Wrath upon him that doth Evil*; or from the Nature of his Office, as Head of the Civil Society. Here then the Question is, Whether this

Right

* Note, The Term *Magistrate* is often used to signify the Person or Persons who are vested only with the *Executive Power*, but in this Discourse 'tis almost every where used to signify the *Supreme Power*, as well *Legislative* as *Executive*.

Right of using Force, be originally in the *Governours of the Christian Society*, or in the *Civil Magistrate*? and if in the latter, whether it be in Consequence of a particular *Divine Appointment*, or of the general *Nature of his Office*? And,

3. BECAUSE many religious Opinions and Practices, besides the Respect they have to the Christian Law, may be consider'd as having some Influence on the Peace and Welfare of Civil Society, there here arises a third Question, as considerable as either of the former, Whether to justify the Use of Force, We are to consider the Opinions and Practices, to restrain or punish which it is apply'd, meerly as *Errors in Religion*, or as beside and exclusive of this, they may be prejudicial to the publick Peace and Security of the State?

THESE three are the principal Points which have arisen on this Controversy; and the different Conclusions Men have come to on each of them, do and must occasion a great Variety in their Manner of explaining the general Doctrine, as will soon appear by a short Account of those Methods of explaining it, which are most remarkable, and have made any Figure in the World.

AMONG these the first to be consider'd is that of the Church of *Rome*, who have on all Occasions, made the greatest Use of Force, and are very open and unreserv'd in asserting the Lawfulness of it.

Now the Opinion of that Church on two of the Points propos'd, is clear and undoubted, but with regard to the other, they express themselves commonly with more Art and Obscurity; they clearly maintain not only the Lawfulness, but the Necessity of using Temporal even Capital Punishments in Cases of *Heresie*, Consider'd meerly as an Offence against the *Christian Law*, but they are not equally clear in determining who has the Right of inflicting these Punishments.

IN Words indeed they place the Power of Punishing, at least Capitally, in the Civil Magistrate: But if the Matter be consider'd with any Attention, it will soon appear, that the Right of inflicting even Capital Punishments, in Cases of *Heresie*, is really according to their Principles in the Rulers and Governours of the Church; because to them is reserv'd the Right of *judging finally* what is *Heresie*, and consequently in what Cases Capital Punishments are to be inflicted. And when they deliver any Person over to the Magistrate, 'tis not left to his *Choice* whether he'll execute him or no; He must do it, tho' he has given him a safe Conduct: If he does not, according to the true Principles of the Church of *Rome*, he is to be Excommunicated and Punish'd, if a Subordinate Magistrate, if a Prince, to be depos'd, and his Subjects to be absolv'd from their Allegiance, and arm'd against him as a Favourer of Hereticks.

This

This is really the true State of the Case upon the Laws of the Church of *Rome*, at this Time in Being, and their Practice has always answer'd where-ever they had Power.

BUT tho' we consider the Question on a Foot more favourable to the Rights of Princes, it will not make any great Alteration in the Case; for even they who do not own that the Governours of the Church have any *Coercive Power* over Kings and Princes, yet generally maintain it to be their *Duty* to extirpate Heresie which yet is to be *judg'd* of, not by them, but the Church; so that really in both Cases, the Magistrate, if he does his Duty, is their *Minister* and *Executioner*; with this Difference, that in the former Case they can by Force compel him, in the latter, they cannot: But neither in one Case or the other, has he the Liberty of *Judging*, or, if he does his Duty, of *Acting*, and consequently the Right, the Moral Power of punishing, is on these Principles no more in him, than the Power of Life and Death with us is in the Officer, who is to take Care of the Execution of Publick Justice.

HOWEVER, in the Words they Complement the Magistrate with this Power, and they may safely do it as long as they reserve to themselves the Right of judging what is Heresie.

THIS Right they say is by Divine Appointment vested in the Church, to whom Christ has given an infallible Judgment in all Matters of Faith, a Power to *make new Laws*, or, which is much the same Thing, to *interpret the old ones*, the *Power also of the Keys*, and of *Binding and Loosing*, whereby they can Excommunicate and cut off those, who in any Point refuse to submit to their Authority, from the Christian Society.

AND they who are thus cut off, they say, ought to be punished with Corporal Punishments, the Design of which, is, 1st. To *reform* and bring them back to a right Faith and Mind. And, 2^{dly}. If this cannot be done, if they either will not *confess their Heresie*, or are *Obstinate* in the Defence of it, or *Relapse* into it, (in all which Cases, they say, there is no Hope of their Reformation) then they are to be Punished in order to their *Destruction*, to cut them off from this World, and as *Bellarmino* most uncharitably expresses it * *to send them quickly to their own Place*.

To prove the Right of punishing Corporally in order to *Reformation*, they insist often on the Words of the Text, *Compel them to come in*, which they, following the Authority of *St. Austin*, explain so, as to favour the greatest Severities, Fines Imprisonment,

* *Mittere illos maturè in suum locum.* Bellar. Controv. Tom. 1. Contr. 5. l. 3. c. 22. p. 1951.

Imprisonment, Dragooning, Banishment, every thing but Death, which cannot be Inflicted with this Design; They argue also from the Nature of their Office, which they say necessarily requires their having a Power of Coercion, as well as of Direction; They magnify the Usefulness of such Severities, to make Man *Consider*; Hereticks, they say, are Proud and Opinionated, Headstrong, Violent and Factious, and therefore 'tis proper to treat them with Severity, to bring them to a better Mind, to oblige them to lay aside their Prejudices, and lend an Ear to those Arguments, which, if duly Consider'd, would undoubtedly lead them to the acknowledgment of the Truth, *i. e. of their Opinion*; And lastly they insist on the good Effects these Methods have had in converting Numbers who have been in Error, and bringing them back to the bosom of the Catholick Church.

As to the Power of Inflicting the greatest even Capital Punishments on those who are *Incorrigible*, That they endeavour to prove by several Arguments from Scripture, Reason and Authority.

THEY Argue from the Command of God † to the People of Israel to put to Death those who went after other Gods, and the Prophets also who encouraged them to do so; They produce several Instances in the Old Testament of Godly Kings who destroyed the Worshippers of false Gods and were approv'd by God in doing so: And tho' in the whole New Testament they can find no positive Argument in Favour of this Opinion, yet they attempt to collect many Appearances; They say, that *Christ* and his Apostles compare Hereticks to such Things as ought to be destroyed with Fire and Sword, to *Wolves*, to *Thieves* and *Robbers* and to a *Canker*; They urge also the *Example of Christ, who whipp'd the Money Changers out of the Temple*; of *St. Peter, who struck Ananias and Sapphira dead*, and of *St. Paul, who struck Elymas with Blindness*; They insist also on what *St. Paul* says to the *Galatians*. * *I would they were even cut off that trouble you.*

To these Arguments from Scripture, they add others drawn from Reason. They argue from the Greatness of the Crime of Heresie, which therefore since other less Crimes are punished Capitally, ought much rather to be so; They say that temporal Death is a less Punishment than Excommunication, and since this greater Punishment may be inflicted in Cases of Heresie, there is, they say, no doubt but one in it self less may be us'd on the same Account: Besides, all the good Ends of Punishment are, according to them, answer'd by these Inflictions;

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for

† Deut. 13. & alibi

‡ Gal. v. 12.

for by this Means 'tis provided that bad Men should not infect the good ; by the Punishment of a few, many may be influenc'd to reform ; nay, the Punishment is further said to be useful to those who suffer it, because it hinders them from increasing their Guilt, and consequently their Damnation, by persisting in their Heresie ; And, since all other Punishments have been try'd in vain, this, they say, which is the last Remedy, may and ought to be used.

THESE are the Arguments by which those of the Church of *Rome*, endeavour to establish their Doctrine, and to confirm these, they insist on the Authority, of the Fathers, of many Constitutions of Emperors, and of the Decrees of Popes and Councils. And thus they have established Religious Cruelty on a most sure Foundation ; by reserving to themselves the final Judgment in all Cases, They can make whatever Opinion they please *Heresie* ; And this Consider'd as an Offence against the *Christian Law*, is to be punished with Temporal even Capital Punishments.

IN this Doctrine several Protestants have unhappily agreed with them ; Some have even maintain'd a *Coercive Power* over the Prince, if he refuses to extirpate a *false Religion* ; Others, who do not go so far, yet say that the Prince is oblig'd in Duty to execute their Sentences ; The only difference then between them and the Church of *Rome*, in this Point, is, that they do not think the same Doctrines true, nor the same Persons Hereticks ; but those Doctrines they think to be true, they would fain force Men to believe, and those who refuse to believe them, or believe the opposite Doctrines, they have actually held to deserve Death and have doom'd them to suffer it : And therefore as to their Opinion concerning the use of Force in Matters of Religion, they do in all Points agree with those of the Church of *Rome*.

THE next Opinion worthy our Notice, is that of Mr. *Hobbes* † and his Followers ; which agrees with the former in allowing the use of Force in Matters of Religion and in some of the Doctrines asserted in order to Establish the Lawfulness of this Force, but differs from it, both as to the *Person* who has the *Right* of using this Force, and the *Reason* and *End* of the Exercise of it.

THE Right of using this Force he places in the *Supreme Civil Power* in every Community, to whom he gives the sole Right not only of making Laws in civil Matters, but of determining also the Rules of *good* and *evil*, *just* and *unjust*, *honest* and

† Hobbes de Cive. Cap. 12. & seq. usq. ad finem Libri.

and *dishonest*, and of prescribing what *Doctrines* shall be *professed* and *Practices* in Religion *follow'd* by all Members of the Society.

IF Things be consider'd on the Foot of the Law of Nature, and Reason alone, This Power, he says, is *Universal* and *absolute* in all Cases, only that the Civil Power cannot decree against the Being of God or his Providence: But as to the Manner of his Worship, the Magistrate's Power he holds to be so absolute, that if he commanded the People to Worship him under Images, and bodily Representations, they ought to obey.

IN a Christian Commonwealth indeed, He says, the Magistrate ought not to forbid the Belief in *Jesus Christ* as the *Messiah*, and therefore should he do this, the People are not to obey but to suffer Martyrdom: But in all things else, even the most necessary Points in the Christian Religion, he asserts an absolute Right in him to give Laws, and a correspondent Obligation on the whole Society, *actively* to obey his Injunctions; and 'tis plain he does it in such a Way as to make the Profession and Practice of the Christian Religion entirely to depend on the Magistrate, not only as to the *Manner* of professing, but really as to its *being professed or no*; which appears from hence, that he places in him the Power of determining the *Canon of Scripture*, and also the sole Right of *interpreting* it; both which vest him with a compleat Power of *giving Laws* to the *Christian Society*; the former, directly; the latter, by necessary Consequence; For whoever has an absolute Right of *interpreting* Laws, does really *give* Laws, since his Interpretations whether they be thought agreeable to the Laws, or no, must be the Rule of Men's Professions and Actions.

To obviate the Difficulty which arises from the Difference there may be between the Decisions of the Magistrate in Matters of Religion and Men's private Judgment, he distinguishes between Men's *inward Opinions*, and their *outward Professions and Actions*; And whatever Liberty may be allow'd with Respect to the former, to private Judgment, He says positively there is none as to the latter, but that Christians must profess and act in every Point, except that single one of believing *Christ* to be the *Messiah*, according to the Will of the Civil Power; for which he assigns this Reason, That they who enter into Society do transfer all the Right, which they can transfer, to the Supreme Civil Power, and this Right, He says, is transferable, as well as that of directing their other Actions, because in a State of Nature, Men's Opinions and Practices in Religion depend on their own private Judgment: And that such a Power ought to be exercis'd, He further proves from the Inconveniences that would follow to the State, either from the People's

professing different Opinions and following different Practices in Religion each according to their own Judgments, or from their being in these Matters under any other Direction than that of the Civil Magistrate.

IF these Principles be true, 'Tis manifest that the Use of Force in Matters of Religion, nay even of Capital Punishments is justifiable. For where-ever the Civil Magistrate, as such, and by the general Nature of his Office, has a Power to command, there he has a Power by Force to procure Obedience to his Commands, or to punish Disobedience ; And the Kind and Degree of Punishment must be proportion'd to the Nature and Quality of the Offence ; of which since he is the sole Judge, 'Tis plain he may use any Kind or Degree of Force in this, as in any other Case. And since the Right the Magistrate is supposed to have to give Laws in Matters of Religion is founded on this, that a Liberty of Profession or Practice in Religion must always be prejudicial to the publick Peace, 'Tis plain that the Errors of Men in these Points, *i. e.* in other Words, *their Sentiments different from those establish'd by the Civil Power*, are not consider'd here, under the Notion of *Offences against the Christian Law*, but as *having an evil Influence on the Peace of Society*.

THE Sum then of Mr. *Hobbes's* Principles is this, The supreme Magistrate as Head of the Society, and not by any particular Appointment of God, has a Right to direct the Religion of the State, what Doctrines are to be profess'd, what Practices follow'd ; To these Directions the People are oblig'd to give Obedience ; If not, He may by Force exact it, and punish the Obstinate, even with Capital Punishments. And the Reason of inflicting these Punishments is not because the differing Doctrines and Practices, are *Errors in Religion*, which affect the Eternal Salvation of those who adhere to them, but because they have *Evil Effects on the Civil State*.

IF what has been said of these two Opinions be well apprehended, 'Twill now be no difficult Matter to form a Notion of all the others which favour an unreasonable Use of Force in Matters of Religion : For every one of them, when thoroughly Examin'd, will appear to be nothing more, than one or other of these Opinions, with some plausible Limitations to make them appear less odious and exceptionable.

WHOEVER asserts the Lawfulness of using Force in Matters of Religion must place the Right of using it either in the Governours of the Church or the Magistrate : But then whereas these two *Hypotheses* maintain an *absolute* Power both of commanding and punishing, others content themselves with asserting a *limited* one.

THE Church of *Rome* claims an *absolute* Authority over the Conscience in Matters of Faith; Instead of this, others assert it in *Terms indefinite*; but then they assert it with Respect to the same Things, and in the same Sense, and in such a Manner as to maintain an equal Obligation on all Men to obey, and a Right to use force in case of Disobedience; they do not indeed hold the Church to be Infallible, but they hold it to have an *Authority in Matters of Faith*, to which private Persons ought to Submit, and they who do not, are liable first to *Ecclesiastical Censures*, and then to *Temporal Punishments*.

Now if by the *Authority of the Church in Matters of Faith*, They mean either that the Church is a *good and Authentick witness of Facts*, or an *Interpreter of the Christian Law*, to whose *Decisions private Persons ought to have a respectful Deference*, wherein their own Judgment does not clearly contradict them, there is nothing in this, but what may and ought to be allow'd, and one or both of these must be the meaning of these Words, in our Article: But neither of these Senses will serve Their turn, because the Judgment of the Church, is not according to either of them *Conclusive* on the Conscience of a private Man. And besides there must of Necessity be some *Legislative* or *Judicial* Authority, where-ever there is a *Power of Coercion*, and consequently if there be either Originally in the Church, or in the Magistrate following their Instructions, a Power to *punish* any for Errors in Faith, there must be a Power to *Determine Authoritatively* in Matters of Faith, and the Scheme is Nonsense without it: This *Hypothesis* therefore, falls in directly with the *Romish*, only with this Difference, that they, maintaining an infallible Spirit in the Church, are really the less absurd of the two; for to punish a Man for not following and obeying a Guide, who, they say, *cannot possibly err*, is certainly more reasonable, than to punish him for not following one who *may err*, and consequently mislead him.

To avoid the Difficulties of this Opinion, others limit the Authority of the Church yet further, to Matters of *Discipline* and *Publick Worship*; concerning which, they say the Governours of the Church have at all Times a Right to make Laws and Constitutions, to which the whole Christian Society ought to give Obedience; and those who do not, the Magistrate, they say, is bound to punish and restrain, being in this as in other Matters, *the Minister of God, a Revenger to execute Wrath on those who do Evil*, in disobeying the Injunctions of those who have Power and Authority from *Christ* to make such Appointments.

Now if in asserting this Authority, they went no further than to say, that every National Church has a Right for the
Preservation

Preservation of Order, and the Decent regular Performance of Publick religious Actions, to make such Appointments, as they think convenient, and agreeable to the Christian Law, and that to these all private Christians ought to submit, unless they are under a full and settled Persuasion of Mind, that by so doing they shall offend God, and do what their Conscience tells them is unlawful; if, I say, they went no further than this, there would be nothing in their Assertions, but what is true and reasonable: But since they assert an Authority in the Church, to require Obedience in these Matters, even in Opposition to the Dictates of private Conscience, (and such an Authority they must assert in order to establish the Lawfulness of using Force) 'tis plain that they also fall into the *Romish* Principles; they assert an absolute Right in the Church, to command in certain Matters, and in the Magistrate as the Minister of God, to force Men to obey, or to punish their Disobedience. And,

As they who derive the Right of using Force from the Authority of the Church, do one way or other fall in with the *Romish* Principles, so they who place this Right in the Civil Magistrate fall in with those of Mr. *Hobbes*.

THE Magistrate according to Mr. *Hobbes*, has an *absolute* Right to determine Men's Professions and Practice in all the most Essential Points in Christian Religion, (except that one of *Jesus Christ's* being the *Messiah*) and in all Points of Moral Virtue also; this most Men think to be, as it really is, impious and absurd, and therefore they entirely deny this Power, as to fixing the Rules of Vice and Virtue, and limit it in Religion to Matters relating to * *External Profession*, and the *Publick Worship* of God, they do not hold that he has a Right to *determine Men's Assent* against their own Judgments; nor do they hold that he has over their *Professions* a *Positive*, but a Sort of *Negative* Right: He cannot they say oblige Men to profess what they do not think to be true, but he may oblige them not to profess many Things which they think to be so, and to comply also with that manner of Worship, which he thinks fit to appoint; and in Case they refuse, he has a Right by Force to compel or punish them.

Now the only Difference between these Principles and those of Mr. *Hobbes*, is this, that they do not extend the Power of the Magistrate to as many Cases as the other; but in those Cases to which it does extend, they assert a Power equally Absolute in him, to limit Men's Professions and Actions in Opposition to their own Judgment and Conscience: And they both found
this

* See *Parker's Ecclesiastical Policy*. and the Defence and Continuation of it.

this Power in a suppos'd Necessity of perfect Unity in Men's religious Professions and Actions, in order to the publick Peace and Welfare of the Civil Society.

PARTIES in Religion, they say, soon become Parties in the State, they then enter into Contests for Power, thwart and oppose one another, clog the Wheels of Government, divide the Force of the Community, and suffer it not to exert it self with full Vigour for the Publick Good. This, they say, must happen where-ever Persons in any great Number differ from the Religion of the State; they also give Instances, where this in Fact has been the Case, when an unbounded *Toleration* has been allow'd; and it cannot, they say, be otherwise, because all *Sectaries* are Zealous both to gain Profelytes, and to strengthen their Party, and therefore if they have full Liberty, their Number will Increase, and all these ill Consequences follow. The Way then must be to restrain them, and this they say, the Magistrate has as much Right to do as he has to prescribe Rules for their other external Actions, and to punish the Breach of them; he may give Laws to limit their *Moral* Behaviour, and consequently their *Religious*, because the publick Good is concerned in both: And to obviate the Difficulty which arises from hence, that the Command of the Magistrate cannot alter Men's Judgments, they have Recourse to much the same Distinction, which Mr. *Hobbes* uses for the same Purpose; they distinguish between Men's *Opinions*, and *Actions*, the former, they say, the Magistrate does not meddle with, let them have them to themselves; their *outward Actions* are his Care, these he may and ought to restrain, and those who will not obey him, he may punish, as he does other Offenders against the Commands of their lawful Superiors.

THESE are the principal Limitations, which the Favourers of Force in Matters of Religion have set to the Authority of the *Church*, or the *Magistrate*, which tho' plainly design'd for that End, do not, you see, hinder them from falling in, either with the *Romish* or *Hobbian* Principles.

AND as they thus limit the Power of the Church or the Magistrate to certain Cases, so do they also limit the *Sort* or *Degree* of Coercion, which ought to be us'd.

SOME think it not lawful to punish Heresie, or other real or suppos'd Error in Religion, with Death; they therefore contend only for some lower Sorts of Punishments, which they speciously term *moderate* and *wholesome Severities*; nor do they care for allowing even these to be us'd as *Punishments*, properly speaking, but as *Means to make Men consider*, and by this useful Violence to constrain and *compel them to come in*.

OTHERS go yet lower, they are for leaving Men in all other Respects free from Penalties on Account of their Religion, but would restrain them from *worshipping God*, in that Way which they think best; and this some hold to be necessary to prevent the Growth of a *False Religion*; Others, to avoid the Inconveniencies which the Toleration of different Religions may produce to the State.

THUS, you see, how by limiting in a different Manner one or other of the two first mentioned *Hypotheses*, Men have formed to themselves, various Schemes of Notions concerning the Use of Force in Matters of Religion; but thus far they all agree that some Force may lawfully be us'd either by the Church or the Magistrate, to restrain or punish Errors in Religion, either as Offences against the Christian Law, or as having an evil Influence on the Peace and Welfare of Civil Societies.

ON the other Hand, some modern Enthusiasts, particularly many of the *Anabaptists in Germany* at the Beginning of the Reformation, and others in our Neighbouring Kingdom, in a late Time of Confusion, following herein the Opinion of the *Zealots* among the *Jews*, and probably of some of the *Gnostick Hereticks*, maintain'd that the Christian Religion set them free from all Obligation to obey any other King or Law-giver than *Christ* himself; that therefore as it was not lawful for a Christian to be a Magistrate, or to inflict any Corporal Punishments on Christians, so neither was it incumbent on Christians to give them any Obedience, nay, that as Subjects of *Christ's* Kingdom, they were oblig'd not to obey them. *Christ Jesus*, they said, had set them free, and all Human Laws, all Exercise of Civil Power, must one Way or other affect their Christian Liberty, and bring them into Subjection to another Power than that of their King *Christ Jesus*, to which therefore they held themselves bound not to submit.

'TIS very easy to see how absurd these Principles are, that they tend to destroy all Order, all Government, all Peace and Society amongst Men: And therefore without taking any further Notice of them, I proceed to the second Thing propos'd,

2. To discover the Truth on the several Points that arise in this Controversy, and answer the principal Objections, that have been made against it.

HERE then, since from what has been said, It appears, that all Opinions and Practices in Religion may be consider'd either *with Respect to the Christian Law*, or *with Respect to the Influence they may have on the Civil State*, the most natural Way of discovering the Truth in this whole Controversy, will be to consider them distinctly in each of these Respects, and shew what Power the Church or the Magistrate has, on either Account, to use

use any, and what Force to restrain or punish those whose Opinions and Practices in Religion differ from those which have receiv'd any publick or National Establishment.

Now if we consider Men's Opinions and Practices in Religion with Respect only to the Christian Law, 'tis most evident that *Neither the Governours of the Christian Church, nor the Civil Magistrate have any Right to use any Sort of Force to restrain or punish them.*

THE Governours of the Christian Church, have in no Case a Right, to use Temporal Force or Coercion; That memorable Declaration of our Blessed Saviour, *My Kingdom is not of this World*, plainly cuts off all Pretence to it: And since they have not a Right themselves to use Force, 'tis plain they cannot have a Right to command or oblige the Magistrate to use it, for this is in Effect the same Thing as to have the Power of using it themselves.

NOR can it be pretended that the Christian Magistrate has in these Matters any *Original* Right to use Force or Coercion: For either this Right must arise from the Nature of *Magistracy in General*, or it must be some *peculiar Privilege* to which he is intitled by being at the same Time a *Magistrate* and a *Christian*: Now it cannot be the former, because all Power with which the Magistrate, as such, is vested, is and must be limited to the Concerns of the Civil Society, and therefore does not extend to punish any Offences against the Christian Law, when, as the Case is now put, they do not effect the publick Welfare; nor can this be the particular Privilege of the Christian Magistrate, because 'tis plain that *Christ Jesus* has no where vested him with it.

AND, as it is in Fact certain, that neither the Church nor the Magistrate have a Power to use any Force or Coercion on Account of any Opinions and Practices in Religion, consider'd as Offences against the Christian Law; So is it in Point of Reason absurd that they should have any such Power.

FOR the only good End of such Severities, must be to reclaim Men from their Errors; And in Order to this, an Alteration of Judgment, an inward Conviction of the Mind is plainly necessary; Now this cannot be wrought by external Force or Compulsion; *Racks and Torments* may indeed extort from those who are not able to bear up against the Extremity of Pain and Anguish, an outward Profession of any Thing however false or extravagant; And those, which are speciously term'd, *wholesome Severities*, may make Men Hypocrites, and tempt them to dissemble their Opinions; But neither one nor the other, can make any one a true Convert, because they cannot make him believe that true, which he thinks to be false, or

think that Practice innocent, or agreeable to the Will of God, which his own Reason and Conscience tells him is not so.

NOR does it avail any Thing to say that these Punishments are to be inflicted only on those who are not *sincere*, but on evil Motives adhere to mistaken and Heretical Opinions : For it being impossible for Man, who knows not the Heart, to distinguish certainly between a *Pretence* and a *Reality*, 'tis manifest that if a Right of punishing be at all allow'd, it must be allow'd equally to all with Respect to all, *i. e.* every one who differs from another, has an equal Right, if he has the Power of the Society in his Hands, to make War on every other, on Account of this Difference.

As this, considering the many Differences which actually subsist among Christians, must introduce the wildest and most Universal Confusion, so can it not be in the whole for the Advantage of Truth ; unless We should suppose, what is contrary to Fact and Experience, that Truth and Power always go together. For every Prince who thinks his own Opinion true, has, by these Principles, a Right to punish those who differ from him ; And 'tis impossible to allow this Liberty to one Prince, of one Religion, in one Country ; and not allow it to every Prince, of every Religion, in every Christian Country under Heaven.

To say with *St. Austin* and the Church of *Rome*, that 'tis Lawful for the *Church* to persecute *Hereticks*, but that it is not so for *Hereticks* to persecute the *Church* ; or, which amounts much to the same Thing, that the Magistrate professing the *true Religion*, may use Force against a *False* one, tho' that has not a Right to the same Privilege, is plainly absurd. For there being no common Superior on Earth, to whose Judgment all Parties are, or think themselves bound absolutely to submit, every Church, every Sect must and will take those Opinions to be true, and those Practices to be agreeable to the Word of God, which they *think* to be so ; They therefore will each account themselves the *true Church*, and Esteem those who differ from them to be so far *Erroneous* or *Heretical*, according to the Nature or Importance of the Points in difference between them ; and consequently a Right in the *true Church*, or in the *Magistrate professing the true Religion*, to use Force against a false One, is a Right in every Church, every Sect, every Magistrate, professing Christian Religion in any given Manner, to use it against every other ; which, whether it be in the whole for the Advantage of true Christian Religion, let any reasonable Man, who considers the present State of *Christendom*, judge. Nothing certainly can be in it Self more Wild and Extravagant ; Nor was there ever any Practice, more destitute of even a plausible

sible Foundation, either in Reason or Scripture, than That of propagating Religion by Force, and converting those who are in Error, by the fear of Death, or other Corporal Punishments.

THE only Methods which can have any good Effect to this End, are of a very different kind ; Calm Reasoning, Persuasion, explaining our own Opinions, shewing the Falshood and Absurdity of other Men's ; Proofs from the Holy Scripture, to shew the Conformity of our Tenets with the Christian Law, and these propos'd in the Spirit of Meekness without Gall, Bitterness or Invektive ; These are the Methods, which are alone proper to be us'd for the Conversion of those who err in Matters of Religion.

AND these are the only ones which *Christ* and his *Apostles* have appointed to be us'd for this End. *St. Paul* us'd this Method himself, and recommends it to others, He thought it not fit to *Force* Men by the *Terrors* of this World, but by laying before them the *Terrors of the Lord* to persuade them, *Knowing therefore the Terrors of the Lord we persuade Men.** In another Place he says, *the Servant of the Lord must not Strive, but be gentle to all Men, apt to Teach, Patient, in Meekness Instructing those that oppose themselves, if God peradventure will give them Repentance to the Acknowledging the Truth.†* And when the Disciples of *Christ*, *James* and *John*, seeing that the *Samaritans* did not receive him, said, *Lord wilt thou that We command Fire to come down from Heaven and consume them, as Elias did, he turn'd and rebuk'd them, and Said, ye know not what Manner of Spirit ye are of, For the Son of Man is not come to destroy Men's Lives but to Save them.‡*

AND now from what has been said, it will be easy to discover the Weakness of all the Arguments in Favour of Force, urg'd by the *Romanists*, and others who in this Point agree with them.

THE *Edicts of Emperors* and *Laws of the Church* will not, I suppose, be thought to have any Weight, because they only shew what in *Fact* has been done ; and if from *Fact* it were always Lawful to infer *Right*, every Thing might be prov'd to be both *Right* and *Wrong*.

As little Weight is there, in the *Authorities urg'd from the Fathers* : Indeed if the Question were put to this Issue, the Authorities in the most ancient and best esteemed Fathers are against them : But these signifie little on one Side or other, unless it could be prov'd, that our Judgments ought to be con-

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* 2 Cor. v. 11.

† 2 Tim. ii. 24, 25.

§ Luke ix. 54, &c.

cluded by theirs in this, and consequently in every other Point of the same Nature; which is neither true in itself, nor will the *Romanists* allow it, where *they*, as the Case commonly is, are against them.

THE Argument drawn from the *Jewish Law* is plainly built on a false Foundation; 'Tis in no Case just to say, that a Law oblig'd the People of the *Jews*, therefore it obliges Christians; for even the *Moral Part* of that Law does not oblige, because 'twas a Part of the *Jewish Law*, but because it is founded in Reason, and Nature, and the Divine Attributes, and is made a Part of the Christian Institution. If then this be so, it is much more evident, that a Law which seems to have been merely *Judicial*, and had its Rise from God's being in an extraordinary Manner their King, ought not to be drawn into Precedent in Christian States and Nations; And if the Law ought not, neither ought any *Actions*, done by Kings or Holy Men of Old, in Conformity to that Law, or in Obedience to some particular extraordinary Command from Heaven.

FOR the same Reason, there is no Weight in the Argument drawn from the *Example of Christ* or his *Apostles*; For since no one will affirm, that the Governours of the Church, or any Christian Magistrate, have the same Sort or Degree of Power, which *Christ* and his *Apostles* had, 'tis impossible that any Action of theirs done in Consequence of an extraordinary and miraculous Power, can justify the like Actions in those, who are entirely destitute of it.

THE Arguments drawn from Hereticks being in a *Metaphorical* Sense compar'd in Scripture to *Wolves*, *Thieves*, *Robbers*, and the like, is so weak and trifling, as not to deserve any Confutation: And as to the two Texts that are urg'd; the Words of St. Paul, *I would they were even cut off that trouble you*, in the Opinion of the best Interpreters, and among them of some of great * Note in the Church of Rome, relate to *Excommunication*; but let them relate to what they will, they contain no Command, nothing but a Wish that *they were cut off*, perhaps by some immediate Act of Divine Power, *who troubled them*.

As to the Words of the Text, *Compel them to come in*, 'tis to be consider'd, 1. That they are a Part of a *Parable*, and relate only to a *Circumstance* of it, for which Reason, according to the known Laws of applying *Parables*, 'tis scarce allowable at all to argue from; 2. 'Tis also to be consider'd, that there is no Necessity to understand them in the Sense which favours Force and corporal Punishments; nay, 'tis in Fact certain, that
they

* A Lapide, Estius in Locum.

they never were understood in this Sense by any before St. *Austin*; And if to this we add, that * *they* in the Scripture are said to *compel*, who by their *Authority*, or *Example*, or *Doctrine* endeavour to *influence* others to do any Thing, tho' they use no Force or Coaction; and that this Sense is really best suited to the Nature and Design of the *Parable* in this Place, it seems to be very evident, that the Compulsion here meant, is not any external Force, but *strong* and *vehement Perswasions* and other endeavours, which, operating in a moral Way, might incline Men otherwise languid and indifferent, to come in to the *Marriage Supper*, *i. e.* to embrace and profess the Christian Religion: In this Sense, several of the most noted † *Romish Expositors* understand them; and in this Sense they must be understood for this further Reason, because otherways 'tis impossible to reconcile one Part of the Scripture with the other. If this Passage proves the Lawfulness of using Force in Matters of Religion, the other Passages I have mentioned, does much more plainly prove the contrary; and so the Scriptures are inconsistent with themselves, and the same Doctrine is according to them, both true and false; which is impious and absurd.

WHAT has been said, is sufficient to shew the Weakness of all the Arguments urg'd from *Scripture* or *Authority*, to prove the Lawfulness of using Force in Matters of Religion; And if these fail, the others drawn from *Reason*, can do little Service.

THO' Heresie be a great Crime, yet that which is often *call'd* so, is really no Crime at all, being nothing more than a Speculative Opinion different from what is, or is accounted Orthodox, but whether true or false, does no Way affect Men's eternal Salvation. But be the Crime ever so great, it does not follow that it must be punished with Death, or other corporal Infliction, unless there be, what 'tis certain there is not, a Power in some Person in this Manner to punish it; And therefore to say, that because the Church may *Excommunicate* Hereticks, the Magistrate may put them to Death, is absurd.

THE Church may indeed Excommunicate Hereticks, *i. e.* They may *declare* or *pronounce* them to be *in their Judgment* unfit to continue visible Members of the Christian Society, and accordingly may exclude them from it: If in passing this Sentence, they proceed on good Grounds, 'tis certain, the Condition of a Person excommunicated, like that of every other great Sinner, is very bad, and, without Repentance, desperate: But then

* Whitby in Locum, & in Gal. ii. 14.

† Maldonat in Mat. 22, &c. p. 459. A Lapide, Tirinus in Locum.

then it does not follow from hence, that Excommunication is a greater Punishment than Death; because the one cuts a Man off suddenly, and if he be a grievous and obstinate Offender, damns him at once; whereas the other leaves Space for Repentance and Reformation.

BUT tho' Excommunication were the greater Punishment, it is not true that every one who deserves a greater Punishment may be doom'd to suffer a less, when the *Nature* of the Punishment and the *Ends* of their being inflicted are entirely *different*.

EXCOMMUNICATION consider'd in it self is a Punishment purely *Spiritual*, and the true End of it is by Way of *Motive*, to influence Men to obey the Christian Law; whereas the Punishments which the Civil Magistrate inflicts, are all of a *temporal* Nature, and the End of them is, to preserve the Publick Peace, and promote the Welfare of the Civil Society.

INDEED in our *Constitution*, the Sentence of Excommunication is always enforc'd by the Civil Power; But the Reason hereof is not, that Persons excommunicate are by any *immutable Law of Reason*, or the *Christian Religion*, to be expos'd to temporal Punishment; but because 'tis thought to be in the whole, for the Publick Good, that those, who according to the *Laws of the Church*, which are really a Part of the *Civil Constitution*, do incur this Sentence, shou'd be punished in this Manner, not properly as *Offenders against the Christian Law*, but as Persons who either *Contemn a legal Jurisdiction*, or are *Guilty of Crimes*, which deserve such Punishment, because they hurt the *Civil Interests* of Society.

AND here we perceive the Reason why the Magistrate may punish Theft, Adultery, Murder, and not Heresie under the present Description. For he does not punish these Actions, as Offences against the Christian Law, but as they are injurious to the Society: His Power, as a Magistrate, is exercis'd for this End, and no other, and it is chiefly Conversant about Men's outward Actions, and meddles not with the inward Intention, or Disposition of their Minds, any farther than it appears in and by their Actions: 'Tis not in it self possible, that temporal Punishments shou'd reach the inward Intentions, nor is it any way necessary, because the Regulation of Men's outward Actions, is sufficient for the Publick Good. And,

HERE we may further perceive the Weakness of the Argument drawn from the *Ends of Punishment*. For since the only good End of punishing any real or supposed Errors in Religion, by which the publick Civil Interests of Mankind are no way affected, must be to reclaim Men from their Errors; since in Order to this, an Alteration of Judgment is necessary; and since this cannot, as has been prov'd, be wrought by external Force or Compulsion;

pulsion; 'Tis impossible that the Use of them in such Cases, can answer any good End, unless it be a good End of such Severities to make Men Hypocrites, and tempt them to sin against their Consciences in order to avoid them: And since, as has been observed, *Truth* and *Power* do not always go together, it may happen, that these Punishments may hurt, instead of promoting, the Interests of true Religion; that instead of preventing bad Men's infecting the good, they may hinder the good from influencing the bad; and where Error obtains, make a Reformation extreamly difficult, or it may be impossible.

To say that these Punishments are of use to *make Men consider* is extreamly weak; because 'tis impossible for any Man to know certainly, how far Men have, or have not considered, or consequently in what Cases Punishments may be useful or necessary to this End; And therefore, the plain *English* of this seemingly plausible Notion, is, that Men are to suffer these Punishments not till they *consider*, but till they *Change*, and the Hypocrite by dissembling his Sentiments escapes, tho' he has not consider'd, while the *sincere* Man, who has consider'd, but cannot find that Conviction others think he may, continues to suffer, without Hope or Possibility of Relief.

AND thus I have endeavour'd, in as few Words as the Nature of the Case would well admit, to prove, that neither the Governours of the Christian Church, nor the Magistrate have a Right to use any Sort of Force, to restrain or punish any Opinions or Practices in Religion, consider'd as Offences against the Christian Law, and to Answer all the Arguments urg'd by the *Romanists* and others, in Favour of the opposite Opinion. And now.

FROM what has been said on this Point, We may draw this very important Conclusion, That all Persons in a Society, whose Principles in Religion have no Tendency to hurt the Publick, have a Right to a *Toleration*.

By a *Toleration*, I mean a Liberty to worship God according to their Consciences, without any *Encouragement* from the Civil Government on the one Hand, or *Fear of Infliction of Punishment* on the other: And the Reason why all Men, whose Religious Principles do not hurt the Publick, have a Right to a *Toleration*, is this, because by the Supposition, they are Guilty of no Offence against the State, and it has been prov'd that the Magistrate has no Right to use Force against them on any other Account.

HE may indeed encourage his own Religion, which is no more than every other Man, as far as he has Power, does with Respect to his own Sect; He may also limit the Enjoyment of Places of Trust or Profit, to those whose Opinions in Religion agree with his own, if such a Limitation be for the Publick

Good:

Good : And by doing this, he injures no Man, because he deprives no Man of any Thing, to which he has, properly speaking, a Right. But every Man whose Principles in Religion do not tend to hurt the Publick, has a Right to a *Liberty of Conscience*, and consequently to a *Liberty of worshipping God according to it* : For to say with Mr. *Hobbes*, that tho' the Magistrate has in such a Case no Power over Men's *Opinions*, yet he has one over their *Professions* and *Actions*, is absurd, because these *Professions* and *Actions*, the *Opinions* being suppos'd, are commonly necessary, and their Duty. And therefore, a *Liberty of Conscience*, *i. e.* of *Opinion*, without *Liberty of professing* and *acting* according to that *Opinion*, is in Reality no *Liberty* at all.

THE only Thing which can be said in Opposition to this Conclusion, is, That the Supposition made in it is impossible ; and this, I've already observed, is the Notion of Mr. *Hobbes*, and generally of those, who on Political Principles are Enemies to *Toleration*. According to them all Differences in Religion hurt the State, and therefore no publick Profession of any Religion ought to be allow'd, but of that which has received the *National Establishment*.

NOW, not to say any Thing of the mischievous Consequences which follow from this Notion, that it tends to justify the Persecution of *Protestants* in *France*, or in *Poland*, and even of *Christians* under a *Mahometan*, or *Heathen* Government, To pass by, I say, these and other absurd Consequences of this Notion, 'tis plain that they who Reason in this Manner, argue against *Toleration*, from those Evil Effects which have really been owing to the want of it.

WHERE Men are oppress'd and persecuted on Account of their Religion, where a reasonable Liberty of following their Consciences, in order to their eternal Salvation, is deny'd them, they cannot but be uneasy and restless ; in such a Situation, they are easily dispos'd to be Factious and Seditious, and to endeavour perhaps by violent Ways, to free themselves from the Yoke which galls and torments them : But then this factious Spirit is not so much occasion'd by their Religious Principles, as by the Severities us'd against them, and the Remedy is not to increase the Severities, but entirely to remove them. By which Means Persons professing the same Religious Principles, when softened by good Usage, and suffer'd quietly to think and act according to their Consciences, may become good Subjects, and join in supporting the Government, who before were accounted Enemies to, and perhaps thought it their Interest to clog and perplex it : That this will be the Consequence, is on the Foot of Reason highly probable ; and whoever compares the
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Temper and Usage of the Protestant Dissenters under King Charles the Second's Reign, with both under the present, will see an Instance, pretty much in Point, to confirm the Truth of this Opinion.

BUT some false Principles in Religion, undoubtedly there are, which must always have an evil Influence on the Civil State, and whether any Force or Coercion may be us'd in such Cases, and by whom, was the second Thing, which, under this Head, I propos'd to consider.

HERE then, 'tis at first View evident, That all Right to use Force in such Cases, must be in the Magistrate, as *Head of the Civil Society*, and Guardian of the Publick Peace; And therefore the only Question is, concerning the *Sort* or *Degree* of Force or Coercion or Restraint, which *He* may lawfully use to secure the Society from the evil Influence of such Principles. Now,

THE Opinion commonly receiv'd, is, That the Magistrate ought not to allow those, whose religious Principles are any Way destructive of the Interest of Society, the Benefit of a *Toleration*. This Opinion is followed by many the greatest and most able Defenders of religious Liberty, and the Practice in this Nation seems plainly to be form'd according to it; For which Reasons, 'twould very ill become me to determine any Thing positively against it: But it will not, I hope, be thought improper, if in a Discourse, where an Attempt is made to settle this intricate Controversy on common Principles of Reason and Religion, I fairly propose the Reasons which seem to favour the contrary Opinion.

FOR the right Understanding of which, 'twill be necessary to distinguish between *inward Principles* and *outward Actions*, and among outward Actions, those, *which hurt the Civil Interests of the Society*, or any Member of it, from those which in these Respects are *Innocent*.

As to *outward Actions* of the former Sort, 'tis allow'd by all, except those wild *Enthusiasts*, whose Principles I've already said deserve no Consideration, that the *Persons*, who are Guilty of them, let them pretend Religion, or what else they please, as a Reason for them, are not only not to be tolerated, but to be punished by the Magistrate according to the Nature and Quality of the Offence: The Reason is obvious, because, as the Power of the Magistrate is chiefly Conversant about outward Actions, so is he under no Sort of Obligation to examine into the Principles from whence they proceed; but finding them Evil, he punishes the Doers of them; nor does it avail any Thing in such a Case, to plead Conscience, because this is a Plea which every Man may offer in every Case. And since 'tis

impossible for Men to distinguish between the Pretence and the Reality, if it be admitted in one, it must be so in every one, which plainly renders all Exercise of Civil Power impossible or useless. If Conscience erring invincibly prompts a Man to do a wicked Action, this may perhaps excuse him in the Sight of God, but if he is Guilty of Treason or Sedition, he must suffer the Punishment which the Laws of the Society have ordain'd to be executed on such Offenders. Thus far then all Rational Men seem to be clearly and fully agreed. But the Case of Difficulty is this,

WHETHER, when some Persons have unhappily adopted into their Scheme of Religion, certain Principles, which formerly have influenc'd others, and may probably Influence Them also to engage in Designs destructive of the Publick Good, whether, I say, in such a Case, the Fear or Apprehension of the evil Consequences of such Principles on the Publick Peace, does impower or oblige the Magistrate to deny *all those who are of this Religion*, and consequently may be suspected to adhere to these Principles, any Sort of Liberty to Worship God, according to their Erroneous Consciences: This I say is the Case of real Difficulty; And the Reasons which may at least plausibly be urg'd in favour of a Toleration, for such Persons are these Two, 1st. That the Denial of it is unlawful. And, 2^{dly}. That instead of being any way useful to the Publick, it really hurts it, more than a Toleration would do.

1. THE Reason why a total Denial of a Toleration to such Persons might be thought unlawful, is this, because the Right which every Man has to Worship God, according to his Conscience is *Natural* and *Unalienable*.

To understand the Force of this Argument, we are to observe, That All Power which Men, otherwise Independent, have over others, greater than they Reciprocally have over Them, must have it's Original either from a *positive Divine Appointment*, or from the *free Consent* of the Persons themselves, who for the Attainment of some greater Good, give up their natural Freedom to the Will of others. Since then every Man consider'd singly and by himself, has undoubtedly a natural Right to worship God according to his Conscience, if on his entering into Society he looses this Right, he must loose it in one of these two Ways; but he can loose it in neither; not by a positive Divine Appointment, because no such Appointment is made, nor can be suppos'd, without at the same time supposing, that the Magistrate has a Power from God to determine *absolutely* Men's Judgments in all Matters of Religion; and he cannot loose it by his own Consent, because God having not
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thought fit to give him any other Guide, whom he is bound to follow at all Events, the Obligation to worship God according to his own Conscience, is perpetual and immutable: He cannot, if he would, free himself from it.

As he is oblig'd to worship God, and obey his will in order to his own eternal Salvation, so that to him is his Will, and the true Way of Worship, which his own Conscience and Judgment on a full and free Examination *tells* him is so; if he be negligent in his Enquiries, or partial in his Judgment, and by this Means mistakes the Will of God, his Error is *voluntary*, and God will punish him for it; if, notwithstanding his utmost Care and Diligence, he falls into, or continues in Error, 'tis plainly an *involuntary* one, and therefore innocent: But whether his Judgment be right or erroneous, it must be his ultimate Rule and Guide in all Matters that relate to the Will of God, and eternal Salvation: If then he Consents to quit his own Judgment, and to follow that of the Magistrate, which perhaps may in all Points be different and opposite, he Consents to do at his Command what he *thinks* to be, and therefore *to him* is sinful; and since this is what no Man ought in any Case to Consent to, 'Tis plain, he cannot bind himself absolutely to follow the Direction of the Magistrate in all Things which relate to Religion and the Worship and Service of God.

SINCE then every Man has a natural Right to worship God according to his Conscience, in Order to his own eternal Salvation; since no divine Appointment has interven'd to deprive him of this Right; and since he cannot by his own Consent divest himself of it, it seems to follow, that the Magistrate can in this Case have no Power, but ought and is bound to suffer every Person to think and act according to his own Conscience, as long as he is Guilty of no *Evil Actions*, which, on a Civil Account deserve Coercion, or Temporal Punishment.

2. As this Argument is urg'd to prove, That a total Denial of Toleration to Persons of so unhappy Principles, is unlawful; so another may be urg'd to prove, that such a Denial is not in the whole prudent or convenient, that instead of being any Way useful to the Publick, it really hurts it more than a Toleration would do: The Reason is this, because to prevent entirely their holding religious Assemblies is morally impossible, and if they be at all held, the more they are under the Inspection of the Magistrate, the less Danger there is from them to the Publick.

WHEN some Liberty of assembling to worship God according to their Consciences is allow'd Men, their Assemblies are at all Times under the Inspection of the Magistrate, and he may interpose in many Cases to regulate them in the best Man-

ner to prevent Inconveniencies: but when all Liberty is taken away, they are then quite remov'd from his Inspection, and yet 'tis scarce possible to prevent them. For,

PERSONS who think themselves bound *under Pain of Eternal Damnation* to worship God in a certain Way, will run any Hazard to do it; Drive them from Cities and Places of Resort, they'll meet in the Fields or in the Desert; Disperse their Assemblies in one Place, they'll run immediately to another; Make it dangerous to meet by Day, they'll assemble in the Night, in Holes and Corners, any where, or at any Time, to do what they think themselves Bound to do, to gain the Favour of God, and avoid eternal Damnation: Put Numbers of them to Death, they'll many of them die with the Resolution of Martyrs, and their Example will animate others to Face any Dangers to which the Profession of what they unhappily account true Christian Religion, may expose them: 'Tis therefore a vain Thing to hope that any Laws however severe in themselves, or punctually executed can entirely hinder their holding Religious Assemblies: And then the whole Conduct of them is entirely remov'd from publick Inspection, They are under no Regulations, but what they set to themselves or are set them by their Teachers; And for Teachers they are glad to receive any Persons whom they think qualify'd to perform Divine Offices, and esteem them in Proportion to the Hazards they run by coming among them; And if these be Men of Craft and Design, and at the same Time of a furious and bloody Spirit, they may manage the blind Zeal of the People, to the Disturbance of the publick Peace, much more effectually than others of a more quiet Disposition and better Principles, who enjoy'd the Protection of the Magistrate, would probably think it either their Duty or Interest to do.

IF then this be a just State of the Case on one Side and the other, The Question is, Whether a limited Toleration under the Direction of the Civil Magistrate, be not in the whole, a more likely Means to prevent the evil Consequences of bad Principles in Religion than a total Denial of it? For my Part I determine nothing in the Point; *I speak as to wise Men, judge ye what I say.*

IF it be said, that the Allowance of any such Liberty renders it impossible for the Magistrate to provide for the publick Security, when any considerable Part of a Nation, hold Principles in Religion destructive of it's true Interests, To this it may be answer'd.

1. THAT, if what has been said be true, It does not; because the taking away this Liberty does not put him in a better Condition. But then,

2. IF

2. IT may be further and positively affirm'd, That the Magistrate has it at all Times in his Power to use Remedies of another Kind, which will be effectual to this End.

HE may make Laws to limit their Property, to divide it into several Hands, and to hinder their making new Acquisitions which either in *Kind* or *Degree* may be Dangerous to the publick Peace: Tho' Mens Religion be not, yet their Property, *as long as they Continue Members of a Society*, is and must be at all events Subject to the Supreme Power; It may be taken from them either in Whole or in Part, and their Right of acquiring more, or even of disposing of what they have in a certain way, may be abridg'd, whenever the publick Good *necessarily* requires it. If there be Danger of Infection, the Richest Merchandize may be Destroy'd: To stop a Conflagration, Houses may be Demolish'd: *Agrarian* and *Sumptuary* Laws do plainly take away Mens Right of enlarging their Possessions, or the Freedom of disposing of their Wealth according to their Inclination; And yet these never were accounted unjust; nor indeed can any Laws about Property be accounted so, which are plainly Necessary for the publick Good.

As a further Means to the same End, some moderate Restraints may be put on their Civil Liberty; they may be excluded from Fortresses, or other Places where their Dwelling, or Meeting in any great Numbers, may be really Dangerous to the Publick.

AT the same time the Magistrate may and ought to take care, that proper Methods be us'd to Instruct and Convince them, and to lead them in a *Moral* and a *Christian Way* to a Discovery and Renunciation of their Errors. He may also provide that their Children be Educated under publick Inspection, that so being free from all early ill Impressions, they may, when they come to a full Use of their Reason, be dispos'd to chuse those Principles which with regard to Religion are true, and will make them at the same time good Subjects and good Christians; and so put a stop to that Evil in the next Generation, which greatly hurts and embarrasses the present: These and other Methods of the like Nature the Magistrate has it at all Times in his Power to use, to secure the Society against all evil Consequences of Corrupt Principles in Religion. And,

IF these fail, or are thought Ineffectual, there is yet a further Remedy, which, tho' a violent one, is in a Case of Extremity, undoubtedly Lawful; and that is, *to remove them out of the Society*.

THAT this is in it self Lawful, is manifest; for all Society being founded in some *Contract* exprels or tacit between the Members, and the End and Design of this Contract and of the
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social Union, being the common Good of all, whenever any one or more Persons are found utterly Unqualify'd to promote this End, but on the contrary are dispos'd to do their utmost to Defeat it, the Contract, with Respect to him or them, may and ought to be dissolv'd; the Society may refuse such Persons any further Benefit of that Protection which arises from the Union of their Forces, and at the same time Absolve them from that Submission which they had Stipulated or were bound to pay to the Civil Government.

BUT then, when this Resolution is taken with regard to any Members of a Civil Society, 'tis plain they ought to be allow'd full Liberty, with their Persons to Transport their Effects, or, if these cannot be remov'd, to exchange them for others that may: For the whole Body having no Right to the Property of private Members, any further than they submit it to their Disposal for the common Good, when the Social Union is dissolv'd, this Right ceases, and the Title which every Man in a State of Nature has to his own or his Ancestors Acquisitions returns, and vests him with a compleat Right to take them away with him.

IF a convenient Time be allow'd for this, and he afterwards Continues to dwell in the Land, he may be treated as an Alien and an Enemy, he has no Right to the Protection of the Laws, and whatever Force is Necessary to drive him away, may lawfully be us'd against him.

THE only Thing here to be consider'd, is, Whether it be in the whole for the Good of the Society thus to dissolve the Union between it and any of its Members; For the Rule of Prudence in this, as in all Cases of the like Nature is to choose the greater Good, and avoid the greater Evil. If then the Evils which may justly be apprehended from their bad Principles, be greater than those which would arise from their being dismiss'd the Society, the Rule of Prudence is to dismiss them. But if the Society must suffer more by the Want of so many Members, than, can well be apprehended, it will by the Influence of their bad Principles, the Rule of Prudence is to continue them, and to use all Methods, which are consistent with Men's enjoying their *natural* and *unalienable* Rights, to render their Principles inoffensive to the Publick, or to provide against their breaking out into Sedition or Rebellion.

IN such a Case as this We may say what *Moses* says to the People of *Israel* concerning the Nations who dwelt in the Land of *Canaan*, *Thou mayest not consume them at once, lest the Beasts of the Field increase upon thee.* * Tho' God had decreed

* Deut. vii. 22.

creed that these Nations should not only be driven out, but destroy'd, yet this Rule of Prudence was, you see, to take Place; They were not to *destroy them all at once*, lest a Desolation should ensue, lest the Land should be in a great measure uninhabited, uncultivated and over-run with wild Beasts.

THERE is one Objection indeed which may be urg'd against the Lawfulness of this Method, however prudent or convenient it may in any Case be; which is, That Men will hereby be tempted to dissemble with God and their own Consciences rather than quit their Country, their Possessions, their Relations, Friends and Acquaintance.

BUT the Answer to this is obvious; that this being the last and indeed a violent Remedy, should not be us'd but on the most mature Deliberation, and where the Exigence of Affairs, and the utter Ineffectualness of all other Methods make it absolutely necessary; but where it is necessary, 'tis in it self lawful, And the Consequences which may accidentally follow on the Use of lawful Means to promote the publick Good, cannot hinder the Magistrate from using them; If they may in one Case, they may in every one, and this will obviously tend to dissolve all Government, and make it impossible to fix any Laws, or limit the Actions or Behaviour of the Members of a Society in order to the common Good.

AND now having thus fully and particularly consider'd the general Question, there will be no Occasion to say much on the third Point propos'd, which was,

3. To apply the general Doctrine to our particular Case, in Order to form some Judgment of the several Methods that may be thought on, to secure our Present happy Constitution in CHURCH and STATE, from any Danger with which it may be threatn'd by those whose false Principles in Religion dispose them to be Enemies to it; I mean those of the *Romish* Religion.

ACCORDING to the Principles laid down in this Discourse, all those of the Church of *Rome* among us are to be consider'd either as Persons professing a false and corrupt Religion, or as Persons maintaining certain Doctrines, which are really dangerous to all, but especially to *Protestant* Governments. Now,

IF we consider them in the first Light, it appears from what has been said, That no Church, no Magistrate has any Right or Power to use Force against them. So that whatever Coercion or Restraint they now are, or at any Time hereafter may be doom'd to suffer, the true Ground and Reason of it must be, that some Doctrines which they by their Scheme of Religion are oblig'd to believe, are really dangerous to our present Constitution and the publick Peace.

THAT

THAT such (a) Doctrines are *taught* by the Church of *Rome* might be prov'd by many Instances ; I shall just mention one or two of those, which have a near Relation to the Subject of this Discourse.

FROM the Account given of the *Romish* Principles, concerning the Use of Force in Matters of Religion, 'Tis plain they maintain it to be not only lawful, but their Duty to extirpate Hereticks, by all the Methods of Cruelty and Persecution: That this is in Reality the Doctrine of the Church of *Rome*, cannot be denied, and that they who own this Doctrine must at all Times be Enemies to a *Protestant* Government, is manifest, because they do and must think themselves under Pain of Damnation obliged, whenever they have Power, to act in Conformity to it.

THE Malignant Nature of this Doctrine is much increas'd by another, which, if not directly Maintain'd, is greatly Favour'd and Countenanc'd by the Church of *Rome*, I mean that detestable Maxim, That *no Faith is to be kept with Hereticks*. That this Doctrine is at least very much Countenanc'd by the Church of *Rome*, is prov'd among other Arguments, by the proceedings in the Case of *John Husse* at the Council of *Constance*, and the *Decree* pass'd by the Council on that Occasion.

INDEED if there be any Authority in a Manuscript of the Acts of that Council now in the Imperial Library, and published by *Hardouin* the *Jesuite*, in a late Edition of the Councils, that *Doctrine* is as fully Establish'd by the Council of *Constance*, as 'tis possible it can be. (b)

BUT

(a) For a full Account of these Doctrines, I refer the Reader to two Tracts published in the Reign of King Charles II. in England, which well deserve to be perus'd by all Protestants, viz.

1. *Papery, or the Principles and Positions approv'd by the Church of Rome, (when really believ'd and practis'd) are very dangerous to all, and to Protestant Kings, and supreme Powers, more especially pernicious, &c.* by T. Lord Bishop of Lincoln. Printed at London in 4to, and 8vo. An. 1679.

2. *A Discourse concerning the Laws Ecclesiastical and Civil, made against Hereticks, &c.* N. B. This last Tract has been lately reprinted both in London, and Dublin.

De salvo Conductu *Huffonis*.

(b) Ex MS. *Cæsareo*. Sacrosancta Synodus, &c. Quia nonnulli nimis intellgentes, aut sinistrae Intentionis, vel forsan solentes plus sapere quam oportet, nedum Regiæ Majestati, sed etiam sacro, ut fertur, Concilio, linguis maledictis detrahunt, publicè & occultè dicentes vel innuentes, quod salvus Conductus per invictissimum principem dominum Sigismundum Romanorum & Hungariæ, &c. Regem, quondam Joanni Hus Hæresiar-chæ damnatæ Memoræ datus, fuit contra justitiam, aut honestatem indebitè

BUT tho' this be not insisted on, tho' we take only that decree of the Council which is universally own'd to be *Authentic*, (c) and compare it with their Actions; there is but too much Reason to say, that this Doctrine is at least by fair Consequence (d) maintain'd by them; And if to this We add the many Passages in their *Canon Law*, and in the Writings of their *Canonists*, *Casuits* and other *Divines*, some of which do in (e) express

bité violatus; cum tamen dictus Joannes Hus fidem Orthodoxam pertinaciter oppugnans, se ab omni Conductu & Privilegio reddiderit alienum; nec aliqua sibi fides aut promissio de jure naturali, divino vel humano, fuerit in præjudicium Catholice fidei observanda: idcirco dicta sancta Synodus præsentium tenore declarat, dictum invictissimum Principem, circa prædictum quondam Joannem Hus, non obstante memorato salvo Conductu, ex juris debito fecisse quod licuit & quod decuit regiam Majestatem: Statuens et ordinans omnibus et singulis Christi fidelibus, cujusq; dignitatis, gradus, præminentia, conditionis status aut sexus existant, quod nullus deinceps sacro consilio aut regie Majestati, de gestis circa prædictum quondam Joannem Hus, detrahat, sive quomodo libet obloquatur. Qui vero contrarium fecerit, tanquam fautor Hæreticæ pravitatis, et reus criminis læsæ Majestatis irremissibiliter puniatur. Harduin. Concil. Tom. 8. p. 454.

* Vide quæ dicit de hoc MS. in Præfatione generali, p. 10. & in Nota ad principium. Actor. Concil. Constant. Tom. 8. p. 211.

(c) Præsens sancta Synodus ex quovis salvo Conductu per Imperatorem, reges & alios sæculi principes, hæreticis vel de hæresi diffamatis, putantes eosdem sic à suis erroribus revocare, quocunque se vinculo adstrinxerint concessio, nullum fidei Catholice, vel jurisdictioni Ecclesiasticæ præjudicium generari, vel impedimentum præstari posse, seu debere declarat, quominus dicto salvo conductu non obstante, liceat judici competenti et Ecclesiastico, de hujusmodi Personarum erroribus inquirere, et alias contra eos debitè procedere, eosdemque punire, quantum justitia suadebit, si suos errores revocare pertinaciter recusaverint, *etiamsi de salvo Conductu confisi, ad locum venerint judicii, alias non venturi: nec sic promittentem cum fecerit quod in ipso est, ex aliquo remansisse obligatum.* Binni Concil. Tom. 7. p. 1075. Harduin. Concil. Tom. 8. p. 462.

(d) Nec fides à Magistratibus data servanda est hæreticis: Quod Exemplo Concilii Constantiensis probat Salmonius in l. 2. §. *exactis* de Origine juris. Nam Joannes Hus, et Hieronymus ejus discipulus legitimam flammam concremati sunt, quamvis promissa illis securitas fuisset. Simanca. Instit. Cathol. Tit. 45. de pœnis. § 14. ad finem.

(e) Liberantur ab omni obligatione, qui hæreticis tenebantur astricti. Tit. cap. Absolutos se noverint à debito fidelitatis, dominii, et totius obsequii, quicunque lapsis manifestè in hæresim, *aliquo pacto quacunque firmitate vallato*, tenebantur astricti. Decret. Greg. de Hæreticis. c. absolutos. l. 5. Tit. 7. c. 16.

Ergo si sub pœnâ aliquis tenetur eis aliquid solvere certâ die, licet non solvat, non incidit in pœnam. Et eodem modo si per juramentum, quod est verum, quia in illâ obligatione et juramento tacitè subintelligatur, si talis permanferit, cui communicare liceat. Glossa ad c. absolutos.

expres *Terms*, and others by † *fair Implication* assert it, It will appear on the whole to be a very moderate Charge against the Church of *Rome*, to say only that this wicked Doctrine is Countenanc'd and Favour'd by Her. The Destructive tendency of this Doctrine every one sees, and therefore I do not insist on it. But,

THE Doctrine which strikes most directly at the Root of all Civil Power, and renders those who believe it, at all times utter and avow'd Enemies to *Protestant* Princes, is the Doctrine of the *Pope's Power to excommunicate and depose Heretical Princes, and to absolve their Subjects from their Allegiance.*

THAT this is really the Doctrine of the Church of *Rome*, may be prov'd by undoubted Evidence. 'Tis certain the *Popes* for many hundred Years have claim'd, and, as often as they could, exercis'd this Power: Several Councils have decreed in Favour of it, particularly the Famous fourth Council of *Lateran* (f) which is an approv'd General one, and highly esteem'd by

Casus literalis. Quærebant à domino Papâ, si debitores istorum qui lapsi sunt in hæresim, teneantur solvere eisdem. Papa respondendo dicit, quod quicumque obligati sunt lapsis manifestè in hæresim, noverint se absolutos de omni debito fidelitatis, et totius obsequii, et omni pacto quacunque firmitate vallato, &c. Panormit. ad c. absolutos.

Vassalli hæreticorum et quicumque alii, qui hæreticis aliquâ obligatione erant astricti, ut famuli, liberti et hujusmodi, ipso facto liberantur. — Propterea si aliquis promississet eis hæreticis, solvere sub pæna vel juramento certo die, non tenetur. Sum. Angelic. per Angel. de Clavasio. verb. hæretic. §. undecima fol 130. a.

Præterea his hæreticis fides à privato data servanda non est, *multo minus quam alicuiunque proditori, hosti, aut perduelloni.* Simanca. Instit. Cathol. Tit. 45. de pœnis §. 14.

Quæres sexto, utrum vel illi qui erant obligati hæretico, vel ad fidelitatem vel addebita, adhuc post sententiam teneantur hac obligatione? R. Negativè. Probatum expressè ex *Cap. absolutos de Hæret.* E Ratione, quia cum hæresis sit crimen atrocissimum hac pœnâ puniri debet. Summa Theol. Auth. R. P. P. F. Dominico à S. Thoma. pars 3. p. 131.

Omnes hæretico obligatos ex juramento, fidelitate obsequii, pactione, vel promissione liberari, — Prædicta locum habere *ex omnium sententiâ* in hæretico manifesto. Fillincii. Moral. Quæst. Tract. 22. p. 46. N^o 233.

234.

† See the two Tracts above referr'd to.

(f) Si vero Dominus temporalis requisitus, et monitus ab Ecclesiâ, terram suam purgare neglexerit ab hac hæreticâ sceditate, per Metropolitanum et cæteros comprovinciales Episcopos Excommunicationis vinculo innodetur. Et si satisfacere contempserit infra annum, significetur hoc summo Pontifici, ut ex tunc ipse Vassallos ab ejus fidelitate denunciaret absolutos, et terram exponat Catholicis occupandam, qui eam exterminatis

by the Church of *Rome*; The decree is indeed conceiv'd in Terms somewhat Obscure, but the meaning of it is sufficiently (g) clear to any one, who considers the whole fairly, and with due regard to the Occasion of making it: And if to this we add, that this decree has constantly been Urg'd as a *Decisive* Authority in Favour of this Doctrine, that, as Bishop *Burnet* very justly observes * the *Doctrine* it self was for many Ages *Universally Receiv'd*, no *University* nor *Nation* declaring against it, not so much as one *Divine*, *Civilian*, *Canonist* or *Casuiſt* writ against it, as Card. *Perron* truly said, that it was so certainly believ'd, that those *Writers*, whom the depos'd *Princes* got to undertake their *Defence*, do not in any of their *Books* pretend to call the *Doctrine* in General in Question, That since the Reformation, Numbers of their most celebrated † *Divines*, and *Canonists*, have continued to assert it, That these have been always highly esteem'd at *Rome*, and preferr'd to the highest Dignities, while others of the opposite Opinions have been censur'd and their *Books* prohibited, That most of the *Jesuites* and commonly the *Italian* and *Spanish Divines*, are, as far as appears, at this Day of the same Opinion, And lastly, That the *Popes* tho' often press'd thereto, could never be prevail'd on by any publick Act to *Condemn* this Doctrine and *Renounce* this Power; If all these Things, I say, be fairly consider'd, and laid together, they give abundant Reason to conclude, that the *Pope's Power* to depose *Heretical Princes*,

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and

nat's hæreticis, sine ullâ contradictione possideant, et in fidei puritate conservent, salvo jure domini principalis, dummodo super hoc ipse nullum præstet obstaculum nec aliquod impedimentum opponat, eâdem nihilominus lege servatâ circa eos, qui non habent dominos principales. Concil. Later. 4. cap. 3. de hæreticis.

(g) The Doubt here is, Whether this Decree extends to Sovereign Princes. Now if it be consider'd, That in it the Terms of the Feudal Law are made use of, That according to that Law, the Emperour A King, &c. are with Respect to their Feudatories call'd Domini Principales, that He, and He only has no Dominus Principalis who acknowledges or does Homage to no superiour temporal Lord, that Raymond, Count of Tolouse, on whose account this Decree was made, was a Feudatory to the Kings of France, and that the Design of this Decree was to empower the Pope to give Raymond's Territories to Simon de Mounfort, yet so as not to prejudice the Right of that King; If these things, I say, be consider'd, It seems very evident that by Dominus Principalis is meant a King, and by eos qui non habent dominos Principales, All Persons who own no temporal Superiour, and Sovereign Princes more properly than others.

* Exposition of the Articles, Art. xix.

† 'Tis needless to cite particular Authorities to this Point, and to cite all, would be endless. See the Tracts above referred to.

and absolve Subjects from their Allegiance, is really maintain'd by the Church of *Rome*.

'Tis certain indeed that many who hold Communion with the Church of *Rome*, do not maintain this Doctrine; The Clergy of *France*, Anno 1682, did by a publick Act honestly and frankly renounce it; and several of the Divines of that Nation, before and since, have written with great Freedom and Strength of Reason against it. But it does not follow from hence that this is not the Doctrine of the Church of *Rome*; All that this proves, is that these Men had more Sense and Honesty than to own a Doctrine so absurd in it self, and so pernicious in it's Consequences, And God grant, that every one in this Nation, who professes the *Romish* Religion, may in this follow their example. But then,

SINCE there is so just Reason to think, that this and the other pernicious Doctrines mention'd, are either Doctrines of the Church of *Rome*, or mightily countenanc'd by it, It follows that all Persons of that Communion, may and ought to be consider'd as Persons who believe these Doctrines, until they in the clearest and most express Terms Renounce them: And if they be consider'd in this Light, 'tis certain they are and must be *at all times* Enemies to our present Establishment; particularly *at this time*, when many of them think that another Person and not his MAJESTY, who by the Laws of God and the Land is our KING, has a Right to the Crown and a Title to their Allegiance; For here false Principles in Religion and Government join their Influence, they have also a *Center of Unity*, a Person under whom they may hope to join, and set themselves in Array against our establish'd Religion and Government.

FOR these Reasons it seems to be incumbent on us all, those especially who have a share in the Legislature, to use all lawful Methods to secure the Government against these great and perhaps imminent Dangers. And what these Methods are, does, I hope, appear pretty plainly from this Discourse.

THE best and most effectual Method, that can be made use of to this End, every one sees, would be if possible, to *convert* them; I do not mean, barely to bring them to an *outward profession* of the Protestant Religion; For such Conversions *without inward Conviction*, instead of being useful to the Publick, hurt it; They do not destroy their *Inclination*, and they give them *greater Power* to do Mischief.

WHETHER this be the Case of any of those whom our Laws have made *Converts*, I will not say; I doubt not, but some of them are sincere, and God grant they all may be so: I shall
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only observe, That Arch-bishop *Spotswood* informs us, * that in the Reign of *JAMES* the Sixth of Scotland, Certain *DISPENSATIONS* sent from Rome, were intercepted, whereby the Catholics were permitted to promise, swear, subscribe, and do what else should be required of them, so as in Mind they continued firm, and did use their Diligence to advance in secret the Roman Faith. This wicked Craft was, you see, us'd at that Time, and the Church of Rome has not at any Time since chang'd her Principles; nor are Men commonly more sincere and honest at this Day, than they then were.

Now, tho' it be impossible, by any Laws, to provide against such deep Diffimulation; and tho' Laws, in other respects, agreeable to the Rules of Reason and Religion, and in the present Circumstances prudent, are not to be condemn'd on Account of this Accidental ill Consequence, yet 'tis plain, they do not, nor cannot entirely Remedy the Evil, and therefore other Methods at least in Conjunction with these, should be us'd to make Men not only in Appearance, but really and sincerely Converts to the Protestant Religion.

To this End, it would undoubtedly be useful to provide for the Support and Residence of the Clergy, in those Parts of the Kingdom, especially, where the vastly greater Numbers are of the *Romish* Religion, and where some Provision of this Kind is thought to be very much wanting. And when once the Residence of the Clergy in these Parts is made practicable, let the most effectual Laws be pass'd to oblige them to it, and to a diligent, active Discharge of their Duty, no honest Man can, or ought to complain or murmur at them.

It might also be useful to the same End, to form a SOCIETY (such as is in our neighbouring Kingdom for the Propagation of the Gospel in foreign Parts) of Persons of Honour and Distinction, Laymen as well as Ecclesiasticks, under whose Care and Direction fit Persons might, as Occasion requir'd, be sent out to instruct those, whose gross Ignorance of all Religion, occasions their obstinate Adherence to a false One, and other Means might be us'd to recover them from their Errors, and bring them to the Knowledge of the Truth. And,

Lastly, It would be of vast Use to the same End, to provide for the Education of their Children under publick Inspection.

THESE and other Methods of the like Nature may, not without some Hopes of Success, be us'd to convert the *Papists*, and

* *History of the Church of Scotland*, p. 308. ad finem.

and bring them not to a *Dissembled* and *Interested*, but to a *Sincere* and *Real* Profession of the Protestant Religion.

If these should prove ineffectual, or too slow in their Operation, to answer the present Emergency. The next Thing to be done, is, to endeavour to secure the Nation against the evil Influence of their corrupt Principles : And possibly it might be useful to this End, to *distinguish those of the Church of Rome, who own those Principles which I have shewn to be Dangerous to the Government, from those, who tho' they continue in the Communion of that Church, profess themselves ready to disclaim or renounce them.*

Tho' the Church of *Rome* does, as I have shewn, Maintain, or Countenance these wicked Doctrines, yet all the Members of it do not : The Church of *France* has, as I have already said, declar'd fully against the deposing Power ; a late *noted Professor** at *Lovain*, a Native of this Kingdom, has not long since written freely against it, and the Design of his † Book is, to prove it to be the Duty of the *Romanists* of both Kingdoms, to Renounce this Doctrine, and not only so, but to *Swear* and to *pay all dutiful Allegiance*, to his Majesty, and to abjure the *Pretender* : And all this, if I am rightly inform'd, many of them declare they are ready to do ; they do indeed make one Objection to the *Oath of Abjuration*, as it now stands, which possibly may be obviated, without lessening the binding Force of the Oath it self, but as to the other Doctrines mention'd, they say they do not *own* them, and are ready in the most solemn Manner, to *Renounce* and *Disclaim* them.

Now either these Professions are real or pretended ; if they are *Real*, 'tis plain that they who are ready to make them and think themselves bound in Conscience to act up to them, may, notwithstanding their other false Principles in Religion be *good Subjects*, and therefore, according to the Principles of this Discourse, ought *at least* to be allow'd, some Benefit of a Toleration.

But tho' they are *pretended*, tho' the bulk of the *Romanists* in this Kingdom, should refuse to comply with such an Offer, if made to them, yet possibly, it might not be amiss to make some such Offer, for this Reason ; because then all Ground or even Colour of Complaint, of *Violence offer'd to Men's*

* D. Franciscus Martin Iberno Galvieniſis ſenior S. Th. D. Secularis ſeniorque imperialis et Regius Profeſſor in univerſitate Lovaniendi.

† Brevis Tractatus, quo Sacerdotibus et Pontificibus in Eccleſiâ Chriſtiana, nullam poteſtatem deponendi ſupremos reipublicæ principes ſeculares competere theologicæ ac peremptoriè demonſtrat, &c. An. 1721.

Men's Consciences, wou'd be entirely remov'd, and those who afterward incurr'd the Penalties of the Laws, must, even themselves being Judges, be own'd to suffer, not as *Persons professing the Romish Religion*, but as *Persons who refuse to give the Government a fair and reasonable Security for their being loyal and peaceable Subjects*; Nay, 'tis evident they could not justly complain, tho' they were at once *banish'd* out of the Society. This, in a Case of so great Extremity, I have shewn to be *lawful*; but how far in the present Circumstances it may be *prudent*, is neither within my *Province*, nor *Capacity* to determine.

AND thus I have done with what I propos'd. If I have exceeded the usual Bounds of Discourses of this Nature, I pray that the Importance of the Argument, may plead my Excuse. And,

MAY that God, who as on this Day rescu'd our Forefathers from the Rage and Cruelty of Blood-thirsty Men, That God who more lately wrought for us a mighty Deliverance, by the Hands of His late Majesty King *WILLIAM*, *whose Memory be ever Precious*, That God who by placing His present MAJESTY on the Throne, and making all Opposition to fall before Him, has fixed our social Happiness on the surest Foundation, may He continue to preserve our KING, our CHURCH and NATION, against the Attempts of all their *open or secret Enemies*. *Amen, Amen.*

FINIS.

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